

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

NEW ENGLAND SPORTS NETWORK, L.P.,

Plaintiff,

v.

ALLEY INTERACTIVE LLC (CT); ARIEL
LEGASSA,

Defendants.

Civil Action No. 22-CV-10024-ADB

PARTIES' LOCAL RULE 16.1 JOINT STATEMENT

Plaintiff New England Sports Network, L.P. (“NESN”) and Defendants Alley Interactive LLC and Ariel Legassa (collectively “Defendants”) submit this Joint Statement in accordance with Local Rule 16.1(d) and this Court’s November 17, 2022 Order. Counsel certify that they conferred pursuant to Fed. R. Civ. P. 26(f) about the matters set forth herein.

Proposed Case Schedule and Discovery Plan

The parties propose the following case schedule:

Event	NESN’s Proposed Date	Defendants’ Proposed Date
Initial Disclosures	January 12, 2023	December 23, 2022
Deadline for Amendments to the Pleadings	February 9, 2023	December 30, 2022
Deadline for Joinder of Additional Parties	February 9, 2023	December 30, 2022
Deadline to serve Requests for Production and Interrogatories	October 14, 2023	February 15, 2023
Deadline to serve Requests for Admission	November 30, 2023	March 17, 2023

Deadline for Completion of Depositions, other than Expert Depositions	November 16, 2023	March 17, 2023
Deadline for Completion of Fact Discovery	January 4, 2024	April 28, 2023
Plaintiff's Deadline to Disclose Trial Experts	November 9, 2023	May 31, 2023
Defendants' Deadline to Disclose Trial Experts	December 7, 2023	June 30, 2023
Deadline for Completion of Expert Depositions	January 18, 2024	July 31, 2023
Deadline for Dispositive Motions	March 7, 2024	August 31, 2023

NESN's Production of Documents

1. **Defendants' position:** NESN shall respond to and produce documents responsive to Defendant Ariel Legassa's First Request for the Production of Documents by **December 30, 2022**.
2. **NESN's position:** NESN shall respond to Defendant Ariel Legassa's First Request for the Production of Documents by **December 30, 2022** and will, after conferring with Defendants on appropriate search terms pursuant to a protocol that will be set forth in an order concerning the production of electronically-stored information ("ESI Order"), produce relevant, responsive documents proportional to the needs of this case on a rolling basis following this Court's entry of an agreed-upon protective order and ESI Order. Legassa's twenty-seven Requests require NESN to image his laptops and phones and require searches of electronic systems dating back several years.

Electronically Stored Information and Other Discovery Issues

The parties agree to work together to effectuate the mutual exchange of discovery, including any electronically stored information. The parties agree to confer regarding the utilization of search terms and parameters and other methodology for ensuring that discovery is proportional to the needs of the case. The parties intend to provide a proposed Stipulated Protective Order to be entered by the Court by December 21, 2022 that will govern the production of documents that are confidential and proprietary. If the parties cannot agree on a Stipulated Protective Order, they will file separate motions. The parties will confer regarding the nature and scope of privilege logs.

The parties do not currently believe that any party will seek modifications to the discovery limits specified in L.R. 26.1(c). The parties do not propose at this time that they conduct discovery in phases.

Magistrate

The parties do not consent to proceeding before a magistrate judge at this time.

ADR Options

(1) NESN's Position: NESN does not view mediation as likely to be productive at this stage.

(2) Defendants' Position: Defendants are amenable to mediation.

Certifications

The parties will separately file their L.R. 16.1(d)(3) certifications under separate cover.

WHEREFORE, the parties respectfully request that the Court approve their Proposed

Case Schedule and Discovery Plan, with such amendments as the Court deems just and proper.

Respectfully submitted this 1st day of December, 2022.

<p>Counsel for Plaintiff New England Sports Network, L.P.</p> <p>By: /s/ <u>Christopher M. Morrison</u> Christopher M. Morrison (BBO # 651335) Jacob E. Morse (BBO # 709512) JONES DAY 100 High Street 21st Floor Boston, MA 02110.1781 Telephone: +1.617.960.3939 Facsimile: +1.617.449.6999 cmorrison@jonesday.com jacobmorse@jonesday.com</p>	<p>Counsel for Defendants Alley Interactive LLC and Ariel Legassa</p> <p>By: /s/ <u>E. Peter Parker</u> E. Peter Parker (BBO # 552720) Law Office of E. Peter Parker 33 Bradford St The Wheelhouse at Bradford Mill Concord, MA 01742 Telephone: (617) 742-9099 peter@parkerslaw.com</p>
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CERTIFICATE OF SERVICE

I hereby certify that on December 1, 2022, I electronically filed the foregoing with the Clerk of the Court using the ECF system, which will send notice of such filing to all attorneys of record in this matter.

/s/ Jenna L. LaPointe

Jenna L. LaPointe